

REMARKS

The specification is amended to correct an obvious error. It would be evident to one of ordinary skill in the art that the disclosure regarding particle size distribution must be for a percentage of the particles rather than an absolute number of particles. A comparison to the particle size recitation for the estrogen at page 8, lines 11-21, of the specification, also supports this correction.

Claims 175, 205, 208, 211, 215, 223, 226 and 229 are amended to recite that the drospirenone has a particle size distribution such that not more than 2% of the particles have a diameter of more than 30 μm . Support for this recitation is found in the specification at page 7, lines 21-32, for example (i.e., the amended paragraph discussed above).

New dependent claim 233 recites a preferred embodiment feature of the particle size distribution, also supported by the specification at page 7, lines 21-32, for example. New claim 234 recites the substance of dependent claim 190 dependent on the further independent claims.

Claims 193, 194, 231 and 232 are canceled.

As a result, all of the independent claims now recite that the drospirenone:

- 1) is in a form having a rapid dissolution such that at least 70% of said drospirenone is dissolved from a tablet containing 3 mg of drospirenone in 900 ml of water at 37°C within 30 minutes, as determined by USP XXIII Paddle Method using a USP dissolution test apparatus 2 and 50 rpm as the stirring rate,
- 2) is in a form having a surface area of more than 10,000 cm^2/g , or
- 3) has a particle size distribution such that not more than 2% of the particles have a diameter of more than 30 μm .

See the Interview Summary Record of the Interview held November 10, 2004, wherein the

Examiner suggested that the claims be amended in this manner and that she would "consider the allowability" of such claims. In accordance with (IV), the substantive amendments made herein only include changes that were previously suggested by the Examiner. Thus, this Supplemental Amendment should be entered.

It is submitted that the claims are in condition for allowance. Early notification thereof is earnestly solicited. The Examiner is kindly invited to contact the undersigned by telephone to discuss matters which may further the prosecution of this application or facilitate the allowability of some or all of the claims herein.

Information Disclosure Statement

This statement, citing the documents listed in the attached PTO-1449 form, is made before first Office Action on the merits following an RCE filing, thus, no fee is due. A copy of the cited US Patent is not required under 37 C.F.R. §1.98.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

CERTIFICATION OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-450, on the date shown below.

R. Taylor
R. C. Taylor
5-20-05

John A. Sopp
John A. Sopp
Registration No. 33,103
Anthony J. Zelano
Registration No. 27,969
Attorney for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703)243-6333
Facsimile: (703) 243-6410
Date: May 20, 2005